

Stakeholder Workshop  
March 13, 2014

**Considering Rule Changes to the  
Covered Electronic Waste (CEW) Recycling Program:  
Designated Approved Collectors**

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# Electronic Waste Recycling Act

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■ *PRC 42461. The Legislature finds and declares all of the following:*

- *(a) The purpose of this chapter is to enact a comprehensive and innovative system for the reuse, recycling, and proper and legal disposal of covered electronic devices...*
- *(b) It is the further purpose of this chapter to enact a law that establishes a program that is cost free and convenient for consumers and the public to return, recycle, and ensure the safe and environmentally sound disposal of covered electronic devices...*

# Electronic Waste Recycling Act

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## ■ *PRC 42463. Definitions:*

*(b) "Authorized collector" means any of the following:*

- *(1) A city, county, or district that collects covered electronic devices.*
- *(2) A person or entity that is required or authorized by a city, county, or district to collect covered electronic devices pursuant to the terms of a contract, license, permit, or other written authorization.*
- *....*

# Electronic Waste Recycling Act

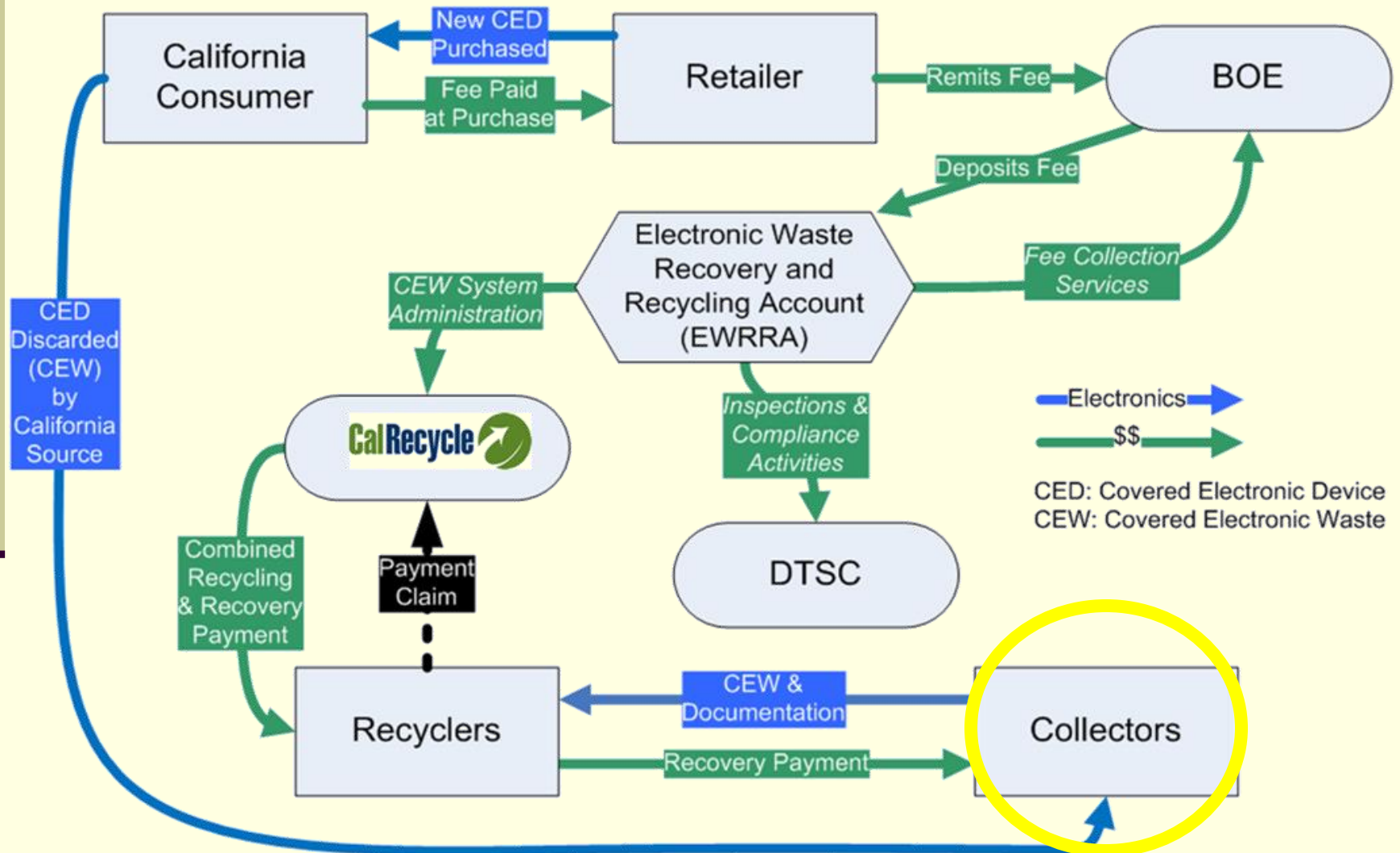
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## ■ *PRC 42463. Definitions:*

*(b) "Authorized collector" means any of the following:*

- *(3) A nonprofit organization that collects or accepts covered electronic devices.*
- *(4) A manufacturer or agent of the manufacturer that collects, consolidates, and transports covered electronic devices for recycling from consumers, businesses, institutions, and other generators.*
- *(5) An entity that collects, handles, consolidates, and transports covered electronic devices and has filed applicable notifications with the department pursuant to Chapter 23...*

# CEW Recovery and Recycling System



# CEW Recycling Program Stats

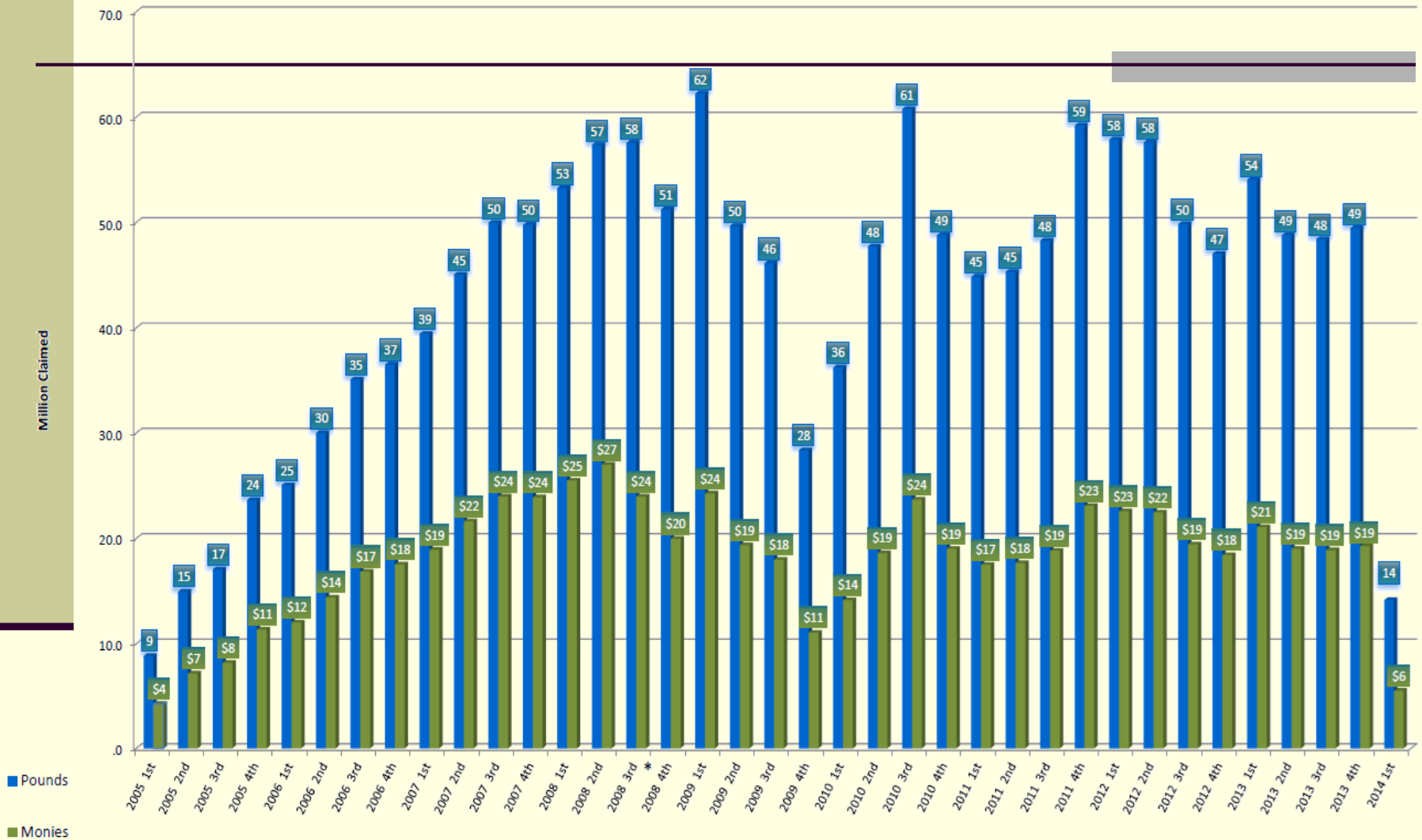
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- **Over 1.6 Billion Pounds of CEW Recycled**
  - Associated infrastructure has recovered similar amounts of miscellaneous discarded electronic devices.
- **~ 98% (by weight) has been CRT Devices**
  - Volume of CRT recovered is slowing.
  - Still an unknown amount of CRT yet to be discarded, but amount is finite.

# Covered Electronic Waste Recycling Payment System

## Quarterly Monies and Pounds Claimed

(as of March 6, 2014)



\* Change in the standard payment rate effective 3rd quarter 2008

# Designated Approved Collectors

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- **Default private CEW collection logs are source-identified**
  - Collectors must determine eligibility and record name and address of CA source
- **Collectors that are CA local gov't or designated approved collectors may cumulatively log certain collections**
  - Date, location, circumstance, amount
  - Relieved of names and addresses



# Local Gov't Participation in CEW Recycling Program

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## ■ Local Gov'ts vs. Other Collectors...

### Historically:

- ~ 1,500 total entities have participated
- < 90 local gov't have participated directly

### Presently:

- ~ 550 approved collectors active
  - ~ 45 of which are local gov't
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- About 400 jurisdictions have issued one or more designations
  - About 300 collectors have received designations

# History of Designated Approved Collectors (DAC)

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- Provision secured during initial rulemaking
  - League of California Cities and other argued that it would speed collection events
  - Seen as useful for franchise haulers, HHW contractors, etc
  - Limited to residential and small quantity
- Status may also be used to handle certain circumstances of illegal dumping (source anonymous CEW)

# History of Designated Approved Collectors (DAC)

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- Little guidance or restriction in regulation on who can issue or receive designations
- Few limits on scope, length, context
- Has resulted in unwanted solicitations and confusion at local level
  - Lack of criteria
  - Potential liability exposure

# History of Designated Approved Collectors (DACs)

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- Creates vulnerabilities in CEW system
  - Often little local oversight
  - No State foreknowledge of issuance or use
  - No auditable trail back to alleged sources
- Despite risks, DACs can be a useful tool in CEW collection.
  - But designations are not needed to be successful!
- How to improve and ensure integrity?

# Possible Options for DACs

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- Clarify who can issue a designation
  - Better define local government (or “district”)
  - Identify proper internal authority
  - Require advance notification of issuance
- Establish criteria for issuance and oversight
  - Context of a contractual arrangement
  - Mechanism for local monitoring
  - Improve accountability; link to Form 303

# Possible Options for DACs

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- Clarify limits on recovery of CEW
  - From sources, handlers, other collectors, etc.
  - When source-identified logs are required
  - When to use SA CEW logging
- Limitations on time and destination of subsequent transfers
  - Expedite and control transfers
  - Possibly impose interim accounting / reporting

# Possible Options: No DACs?

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- Do away with DACs altogether?
  - Allow approved collectors that are local governments to use contractors (or agents) to provide service
  - Assume fully responsibility and risk
- Challenges:
  - Ensuring compliance with DTSC rules
  - Timeliness of documentation handling

# Topic Discussion

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## Improving the Designated Approved Collector

- Facilitated exploration of various issue areas